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ABSTRACT

A panel of Indigenous staff from the Koori Centre of the University of Sydney (Australia) presented challenges, issues, and opportunities facing the field of Indigenous research in education. A new paradigm for Indigenous research is emerging in Australia that recognizes the value and efficacy of Indigenous knowledge systems and that aims to benefit communities and promote self-determination and social justice. There is much research that needs to be undertaken in Aboriginal and Torres Strait Islander education, and Indigenous Australians have become more supportive of research and development, providing that it incorporates the Indigenous research paradigm. Matters of ethics and protocols for Indigenous research are of central significance for Indigenous and non-Indigenous researchers. Many opportunities for collaborative research are emerging. Prime emphasis in research must be placed on relevant outcomes for Indigenous Australians--there must be benefits for Aboriginal and Torres Strait Islander individuals and communities. Much progress has been made in research ethics during the past 15-20 years, and the outlook for the future looks brighter. Many more Indigenous Australians are now engaged directly in research planning, management, and processing of data. Incorporation of a genuine Indigenous perspective in research can improve the value, relevance, and usefulness of research. A more inclusive approach to research could help all Australians come to terms with their past and present and more optimistically contemplate their future. The quality and relevance of Indigenous research in Australia ought to be a goal of national significance. (TD)

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Australian Association for Research in Education (AARE)

The University of Sydney 4-7 December, 2000.

Conference Theme:

Educational Research: Towards an Optimistic Future.

Panel Presentation Report

Title of Panel Presentation:

"Creating an Optimistic Future for Indigenous Research in Education: Re-Visioning both Outcome and Process"

A series of position papers prepared and presented by the following staff members of the Koori Centre, The University of Sydney:

Michelle Blanchard, Anthony McKnight, Leah Lui-Chivizhe, Debbie Wray, Kath French, Juanita Sherwood, Sharon Galleguillos and Arthur Smith

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FORMAT, STRUCTURE AND CONTENT

The panel was mainly comprised of Indigenous staff from the Koori Centre, University of Sydney, with one non-Indigenous staff member providing a response to the panel presentation. Michelle Blanchard, Acting Director of the Centre, convened the panel and chaired the presentation. Each contributor presented a brief paper focusing on selected challenges, issues and opportunities facing the field of Indigenous research in Education. While recognising past and present shortfalls, panel members have explored ways and means of creating an environment in which rigorous, critical, inclusive enquiry could better inform the practice of research in Indigenous education. It was intended that the perspective, wherever possible, would take account of national and international trends and priorities in both Indigenous and non-Indigenous education. In a broad overview sense, some or all of the following topics were referred to by panellists:

1. Emergence of an Indigenous research methodology.
2. Indigenous research ethics.
3. Protocols for collaborative enquiry in educational research.
4. Intellectual property questions and issues.
5. Professional development needs and interests in Indigenous education research.
6. Impact of the internationalisation of educational research in general.
7. Setting an agenda for Indigenous educational research and translating findings into relevant, quality practice.

Editor's Note:

With comparatively minor modification, the text for each panellist's presentation is included hereunder as submitted immediately after the AARE Conference. Papers in this collection do not therefore represent, nor were they ever intended to, reports on research-in-progress, or a regular academic conference paper presentation. They are, in a sense, broad position papers, part of a continuing story or conversation aimed at presenting an Indigenous viewpoint and stimulating further critical examination of key issues and questions relating to research in Aboriginal and Torres Strait Islander education.

The text at this stage does not include responses from the audience or examples of the dialogue that occurred immediately after the panel presentation. In the concluding section, however, an attempt has been made to summarise the main points put forward by the presenters, providing an overview of key issues, challenges and opportunities.

Members of the panel decided to maintain their original format and its integrity as a presentation paper, to reinforce the Indigenous high regard for spontaneity, continuity, verbal discourse, and context. It is very relevant to preserve a format which combines and demonstrates how two cultural 'worldview' learning processes can enter into meaningful conversation, even within the dominant medium of the written word. This format helps to validate the deeper meaning behind the written word that has been adapted by Indigenous peoples.

This paper is divided into 7 sections, each one having a specific title and focus, being a record of presentation for that particular part of the topic. The 7 sections have the following titles:

1. ***Introduction. (Michelle Blanchard)***
2. ***Indigenous Research Ethics and Methodology. (Leah Lui-Chivizhe and Juanita Sherwood)***
3. ***Practice and Protocols for Collaborative Research. (Debbie Wray)***
4. ***Consultation Model: Partnership in Research. (Anthony McKnight)***
5. ***Advice for Beginning Researchers in Indigenous Education. (Sharon Galleguillos)***
6. ***Intellectual Property Rights: Who Owns the Knowledge? (Kath French)***
7. ***Some Ideas and Themes that Distilled Out of the Discussion and Responses to the Panel Presentation. (Arthur Smith)***

1. INTRODUCTION

This part of the panel presentation was prepared and delivered by Michelle Blanchard.

Good Morning and Welcome to our presentation today. We, as members of the panel, take pride in welcoming you to this region – country of the Eora and Cadigal people and neighbouring groups. We pay respect to the traditional owners of the land and thank them for their reciprocity.

I'm Michelle Blanchard, Acting Director of the Koori Centre and it gives me great pleasure to chair and speak at this session, together with colleagues from the Koori Centre. I will start by introducing the speakers today: Juanita Sherwood, Leah Lui-Chivizhe, Debbie Wray, Anthony McKnight, Sharon Galleguillos, Kath French, and Arthur Smith.

(In the context of this paper Indigenous refers to Aboriginal and Torres Strait Islander peoples of Australia unless stated otherwise)

Our panel, including the respondent is comprised of Indigenous and non-Indigenous staff, and I think it is imperative to state the importance of this, especially in specific relation to the title of our presentation. Partnerships and collaborations play a significant role in fostering positive race relations, and provide a place where issues which impact on the daily and generational lives of Indigenous people, especially in this country, and also internationally, can be discussed openly and honestly. We have selected key areas of focus, and although our time is limited we hope to share and provide challenging thoughts for participants.

The theme of the conference talks of "...moving toward an optimistic future in education research", but as much as we hope for positives we, as Indigenous people who work within academic institutions, often wonder about the direction of this future. It could be said that all social, economic, and cultural disadvantage experienced by Indigenous peoples all over the world has, to a significant degree, been attributable to research and research development; exploratory activity which has more often than not been conducted in a way that builds on the foundations of western ideology at the expense of increasing mortality/morbidity rates of Indigenous peoples and communities.

It is imperative in this context that researchers recognise and acknowledge that differing worldviews exist, especially in an increasingly global environment. For the most part, it is research that directly and indirectly derives from the many disciplines and knowledges that exist within places of higher learning. This includes Education research. The methods, processes and outcomes inform government policy which consequently contribute to the creation and perpetuation of the myths that now 'shackle' Indigenous people.

So in this sense our presentation today is about unravelling the underlying ethnocentric vein that supposedly nurtures pride in 'mainstream' nationalism and ignores and discards diversity. We are interested in research and enthusiastic about its usefulness, but we want it to be inclusive of our knowledge, values and inquiry perspectives, and we want to be genuine partners in its production, distribution and application.

There is an old cliché that claims Indigenous people are the most researched people in the world. Within the truth of this cliché, Indigenous people are always seen as ***subjects***. Research has in the past, and continues to some lesser degree in the present, to be carried out from a standpoint where the research methodology applied sees the Indigenous subject (or subjects) as a secondary form of content juxtaposed with the 'superiority' of a western research framework. Moreover, research is then conducted ***on*** and ***about*** Indigenous people, and not ***with, or in partnership with,*** Indigenous people. In light of this, it is hoped that our presentation will demystify the complex issues facing Indigenous research and provide a more optimistic outlook for us all.

All presenters will speak about what they see as core issues, and then there will be 15minutes for open discussion where participants from the floor can raise issues and engage in a dialogue. After this Arthur Smith has agreed to offer a response to the points raised in discussion, and by the panellists. Then as chair, I will spend a few moments providing some concluding remarks and closing the session. Ms Noelene Smith will be timekeeper for our presentation.

Overhead:

It's only ignorance and apathy which will hinder the process and outcome of Indigenous research, where the benefits do not enhance the quality of life for Indigenous Australians. (Source unknown)

2. INDIGENOUS RESARCH ETHICS AND METHODOLOGY.

This part of the panel presentation was prepared and delivered by Leah Lui-Chivizhe and Juanita Sherwood.

Our brief presentation has been designed to bring to the table what we see as some pertinent issues in Indigenous research ethics and methodology. We want to begin by saying that it's important to see our work in Indigenous research as an eternal "work-in-progress", as it draws from theoretical approaches such as postcolonial, critical and liberation theories to facilitate responsiveness to the shifting concerns and interests of Indigenous peoples and communities. What we refer to as an Indigenous research ethics and methodology is, in a conceptual and operational sense, still emerging.

The critical importance (and many would say requirement) of Indigenous research is that it provides a 'voice' for Indigenous communities. Indigenous research demands a paradigm shift, and the Indigenous re-presentation of the "other" by the "other'' is in fact the shift required to make research relevant, respectful and ethical.

This shift is imperative for self-determination and critical to providing a true and accurate account of Indigenous perspectives. Currently, this shift is observed as a form of resistance to the oppressive colonial re-representations of the past from which inadequate policy was developed and practised upon us with very serious repercussions.

Our current generation has witnessed the long-term consequences of misinformed policy makers who, in their attempts to improve our status quo in colonial Australia, have unleashed harmful and, at times, trauma producing policies. Once implemented, some policies had the effect of being genocidal. We need to recognise the past for what it was and is, and then move on.

To many non-Indigenous colleagues, Indigenous methodology is observed as something new. They perceive that Indigenous academics are bringing forth a paradigm never practised before in this country. This is not the case. We are simply articulating, as we must in the

academic and western world constantly, a textual construction and practice utilising Indigenous knowledge that has always been present.

We believe that our successful occupation of this land provides the necessary proof of the utility and efficacy of Indigenous knowledge systems. What ***is*** new, is the utilisation of text to encapsulate the Indigenous voice, as it is voiced, rather than how it has been interpreted by alien ears, eyes and minds.

As stated earlier, the utilisation of this methodology is essential for self-determination and to carry us beyond ***mere survival***. It is undertaken in order to assist communities in enhancing social change, cultural maintenance, and revitalisation, rather than to fill libraries and sustain even more conferences. It recognises the value of each participant rather then objectifying the subject. It is a flexible model that encompasses the diversity of each community, validating their voice, through acknowledging the knowledge passed on to the researcher with respect and oral consistency.

The outcomes of this research will be ***different***, and they are meant to be. They are focused on acquiring social justice through the articulation of solutions derived from Indigenous community thinking, and discussion regarding their life-threatening socio-economic and historically created problems. The description of those solutions facilitated through the research process is what becomes the most important shift from current paradigms. "Nudist" software, for example, and other computer-based statistical packages, cannot devise these kinds of solutions to community problems. They have to be grown from strong Indigenous community knowledge itself.

This shift enables all in the process to benefit, as it provides a relationship of community for all who participate, as well as providing workable and effective strategies that will enhance change. However this will only occur if they are communicated in the Indigenous voice and not 'academic language' devised and perpetuated by others.

Thinking and acting more critically about ethical issues provides a key to Indigenous research; the protocols of each community are the guidelines for community involvement and participation that steer the research. The methodology becomes a process that unwinds

in due course, once it has been determined that the research is ethical and meets the needs of the specific community.

This is quite different to the regular academic process, which formulates an ethics proposal on a university proforma and submits it to an academic committee who do not necessarily represent the general community, let alone the Indigenous community concerned. The committee will judge the ethics of the proposal on its ability to follow the prescriptive format the proforma provides, rather than its ability to:

- ensure cultural safety;
- foster Indigenous employment where possible;
- establish partnerships and equitable outcomes for participants and researchers, and
- enable the sharing of information in a way that recognizes Indigenous concerns about knowledge ownership and respects the way knowledge is transferred by Indigenous peoples.

Our aim as researchers is to maintain and strengthen our communities' cultural knowledges through respect and recognition. The need for flexibility is also recognised, as in many instances our method will also be shaped by, and adapted, to address the issues and concerns of a wide range of community configurations.

As Indigenous researchers, we recognize the knowledge that our communities hold and have been frustrated by the lack of respect that has been paid to our communities who have given a great deal. Their gifts of time, patience and earned knowledge, have been misused and abused in the past. Our aim is to challenge the continuance of past practises and fight against the myths it has produced and perpetuated.

We are doing what John Smyth (1999) of Flinders University defines as "voiced research". In a paper entitled: "Voiced Research: Bringing in the Epistemologically Marginalised?", delivered to the annual meeting of the Australian Association of Researchers in Education (AARE) in November 1999, Smyth described "voiced research" as, and I quote, "...the

bringing into the picture of perspectives previously excluded, muted, or silenced by dominant structures and discourses" (p7).

Every member of this panel can recount stories of their own unpleasant or appalling experiences of being "researched" and we know we have to work tirelessly to ensure our voices, and those of our communities, are no longer excluded, muted or silenced. Through the utilization of Indigenous research we believe we can 'write back' to the histories that have oppressed us and provide a purposeful and meaningful dialogue that speaks to and for Indigenous communities, and is beneficial for all Australians.

Finally, in looking to the future, we wish to make three points:

- Indigenous research is exciting because we are shifting paradigms for Indigenous communities and the academy (Universities and Colleges). It is a new beginning for Indigenous people, as it works to place us at the centre of discussion and development, rather then on the fringe.

- Indigenous research is optimistic because it believes it has a valuable role to play in breaking the cycle of trauma that has been visited on Indigenous communities in a myriad of ways since 1788.

- Indigenous research is challenging because we are developing the lens through which we see and write about ourselves. The challenge is also for non-Indigenous academics to work with us in a way that will require many to vacate the role of gatekeeper and sit with us at the table, as equals.

3. PRACTICE AND PROTOCOL FOR COLLABRATIVE RESEARCH.

This part of the panel presentation was prepared and delivered by Debbie Wray

"... [Indigenous] ... people become objects of research where problems and solutions are defined outside of Indigenous frames of reference. In order to negate pre-defined positions, or an acquisitive desire for knowledge, it is essential that researchers choose areas of interest acceptable to all parties, Indigenous and non-Indigenous"
(Koori Centre Principles & Procedures Document, 1993:2).

Consultation with Indigenous communities ... 'what does that mean?'
Does talking to one Indigenous person constitute community consultation? Many non-Indigenous researchers see it as having that 'one token ***Black*** on the team'; someone who will help overcome the 'problem' of consultation.

A good example of this is an experience I had with a young non-Indigenous researcher who was doing a research project on Aboriginal English. Keep in mind that I was very naïve about what was expected of me, and the researcher, at this time. I had never been involved in any type of research at the university level before.

This young researcher visited my office on the afternoon of the 25th October, 1999. I had no prior communication with the person, either by phone or letter. I was asked if I was prepared to participate in the project, given an 'Ethics Consent Form' to sign, and some brief information outlining what the research was about. After about half an hour of questions and some discussion, which were recorded, the researcher packed up her things and left. From that day to this I have not heard from that person in any way, as to how that information was used. There was no discussion as to how, or in what ways this research would benefit the Indigenous community as a whole.

Does this example of 'consultation and participation' mean that I was seen as the nominated Indigenous person representing the whole Indigenous community because they didn't have the time to call a community meeting, or was I just a convenient individual source of information? Am I considered to be 'the expert' on Aboriginal English? I think not! There are community groups out there with much more knowledge and experience

than what I have to offer. Where were they, and why were they not contacted and involved, when this research was being conducted?

The Australian Institute of Aboriginal & Torres Strait Islander Studies Ethics Guidelines (2000) states:

"Researchers must accept a degree of Indigenous community input into, and control of, the research process. This also recognises the obligation on researchers [to] give something back to the community".(p3)

So how do researchers gain community input and participation, even partnership?
At very least they need to:

- Talk to (and with) the community, not just a nominated 'leader', but a group;
- listen and hear and try to understand;
- organise community meetings that represent several community organisations;
- provide information that relates to the research proposal and how the research might take place, and what benefits the community will derive from the research;
- engage community members, wherever possible, in partnership arrangements;
- report back to the community on a regular bases and share all information, in particular, about 'findings' of the research.

And to those researchers based within Universities, you too have a community to consult with - they exist on each campus – staff of Aboriginal Education & Support Centres. How often have you visited Indigenous academics to discuss your research before you start, or talked to them throughout the research, or do you only seek them out when you need endorsement?

Consultation involves an honest exchange of information about aims, methods, and potential outcomes (for all parties), and should not be considered as merely an opportunity for researchers to tell the community what they, the researchers, want. Being properly and fully informed about the aims and methods of a research project, its implications and potential outcomes, allows groups to decide for themselves whether they will oppose or embrace a project. Ideally, it should bring people together:

"... to define and explore the issues in a collaborative way to shape the perspectives through which 'the issues' are going to be understood". (Reason and Rowan, 1981; in Culture Matters, McIntyre, J. et al. 1996: 53)

This can be an impossible task without the collaboration of Indigenous researchers. As Indigenous academics, researchers and community members, we believe that consultation should become a move towards a partnership, which includes Indigenous people as an integral part of the research process and, in many more instances, leaders of it.

4. CONSULTATION MODEL: PARTNERSHIP IN RESEARCH.

This part of the panel presentation was prepared and delivered by Anthony McKnight

The model we are presenting today is to help re-define consultation from an Indigenous perspective. Debbie has suggested that 'consultation', both the term and the process, at the moment, is ambiguous and stagnant. Furthermore, there are no real lawful guidelines. The present process of consultation and protecting Indigenous knowledge, culture, heritage and intellectual property, relies heavily on the individual researcher (their conscience, experience and knowledge), and their institution's policies. These often inappropriate policies and, subsequently, practices, have created mistrust and misinformation about Indigenous knowledge and well being. Therefore, to help overcome the dichotomy that exists within research, a new form of partnership must be implemented, disseminated and acknowledged.

This knowledge, expertise and partnership formula already exists within Indigenous communities. We are just waiting and pushing for a shift in the ***processes*** of Indigenous educational research. A partnership needs to be created in which all parties involved are able to fulfil their requirements and responsibilities. However, the major emphasis, or controlling partner, is the Indigenous community that is being researched. Their protocols, needs, responsibilities, knowledge and well being should be the most important factor in the design and management of the research project.

The first phase of the process of an Indigenous research project is to form the partnership with the community, define the focus, then start identifying the tasks and requirements, and so on. Therefore it is essential to quickly explore the term partnership and reach a point of mutual understanding about what it means.

A recent controversial Partnership agreement between the NSW Department of Education and Training (DET) and the Aboriginal Education Consultative Group Inc. (AECG) can provide some examples of the wording that is important in forming a contemporary organisational partnership. A significant statement from the partnership agreement, describes that their agreement is based "...on mutual respect, consultation, inclusive decision-making, and the participation of Indigenous people in setting goals and directions for education and training in this state". (DET & AECG Partnership Agreement Document, 1999:1)

From my experience in Indigenous education, and to further clarify the relevance to Indigenous research, I indulged in the privilege of examining the meanings that are implied, also taking the liberty of pointing out some assumptions contained with in the above agreement.

The three major points of the agreement are:

- Mutual respect.
- Inclusive decision-making.
- Participation of Indigenous peoples.

Hopefully, these terms are reasonably obvious in their meanings and communicate a number of taken-for-granted assumptions in the mainstream. But in Indigenous societies there are often different assumptions about meaning.

These assumptions include:

An expectation that Indigenous and non- Indigenous peoples involved in the research follow the institution's protocols and requirements explicitly. Secondly, Indigenous protocols and requirements are often seen by the dominant society researchers as only voluntary, and left to the 'enlightened' individual to seek out and implement. For the participation of Indigenous peoples and communities, inclusive decision-making and the importance of mutual respect for Indigenous protocols must also be assumed to automatically take place.

In addition, a form of partnership that needs to be formulated is the concept or practice of sharing. There is much to be gained from dialogue across cultures from different perspectives. It is not Indigenous people assisting non-Indigenous researchers, however, but a sharing of information in a two-way format. It is about knowledge, information, protocols and processes: co-researching with emphasis on the Indigenous perspective(s) to take precedence. Indigenous research should ideally be designed and carried out from an Indigenous perspective or point of view.

An important factor to include in this deliberation is that time should be of less concern, and should not be used as an excuse for not undertaking quality research. Genuine consultation and collaborative, shared (two-way) inquiry, 'takes as long as it takes'. Mentoring is another

significant issue that needs to be addressed, when forming an appropriate partnership between Indigenous and non-Indigenous researchers, or between senior staff and less experienced staff on a faculty. Again, a two-way learning approach is necessary to develop a healthy and productive environment, where the partners are open-minded and recognise each other (researcher, co-researcher and community) as 'experts' and develop the project together with Indigenous people 'steering the venture'.

Due to past and current atrocities of cultural appropriation, many Indigenous organizations, communities and individuals have strict ethical guidelines (written or oral) designed to counteract the carnage and re-establish our own research lores and protocols. It is imperative to emphasise here that even though there are similarities, there are also some distinct differences between Indigenous communities in which the researcher will only learn and comprehend if he/she visits and follows that community's protocol, including the procedures for initiating the introductory contact.

There is not enough time to discuss all of these issues and questions in detail in this brief panel presentation, however the following summary will indicate generally the major areas that need to be addressed when considering shifting the discourse of Indigenous research and forming research partnerships:

- Accept equal sharing of input and control.
- Indigenous people who are directly affected must have the majority input.
- Honesty and trust are the best policies.
- The community decides if they wish to support the project, or not.
- Indigenous people should be involved in developing the aims, objectives, and outcomes.
- Time should not be a dominant factor.
- Acknowledging and respecting Indigenous knowledge systems is a necessity.
- Flexibility and openness are of equal importance.
- Respect and reflect the diversity of Indigenous groups and individuals involved in the research.
- Cultural identity and perspectives are fundamentally important to take into account.
- Our culture and heritage is not static, it is dynamic, as for any other social group.

- Remember that the fundamental principle of research is to acknowledge your sources and contributors, and in Indigenous research, acknowledgement through Indigenous groups way/worldview is of equal significance..
- Indigenous people have the right to be involved in anything that involves their communities culture.
- Research should benefit the community that was researched.
- Wherever possible there should be reciprocal benefit.
- Negotiations need to be very clear and a formal agreement is necessary.
- Free and informed consent is essential for every aspect of the research proposed.

(Adapted from the AIATSIS Guidelines for Ethical Research in Indigenous Studies, 2000)

These are only a few examples of typical Indigenous research ethic guidelines. For greater detail read the Australian Institute of Aboriginal and Torres Strait Inlander Studies (AIATSIS) Guidelines (2000), The Koori Centre, University of Sydney, Principles and Procedures for the Conduct of Research (1993), Aboriginal and Torres Strait Islander Commission (ATSIC) Research Recommendations, and other organization guidelines for Ethical Research in Indigenous Studies.

Australia's researchers and academics need to gain the appropriate knowledge and form partnerships with Indigenous peoples which will, in turn, enhance Australia's society in general, not just the dominant culture. Changing the power relationship in research partnerships can contribute to Indigenous self-determination and forming of a more positive relationship with non-Indigenous peoples in Australia, now and in the future.

5. ADVICE FOR BEGINNING RESEARCHERS IN INDIGENOUS EDUCATION.

This part of the panel presentation was prepared and delivered by Sharon Galleguillos

I'm going to talk to you briefly this afternoon about practical advice for beginning researchers and touch on some issues for Indigenous postgraduate research. I am probably the best person on this panel to speak about beginning researchers as I have the least expertise and, as I have just completed the first year of my Masters by Research at Umilliko, the Indigenous Research Centre at Newcastle University, I am a true beginner in this field.

It took a full year of badgering by Indigenous colleagues at Umilliko before I even filled out the forms for enrolment. I had been a primary and secondary teacher since 1977 and, having gone back to Sydney University to get my Bachelor of Education degree in 1988, I thought that my student days were done.

Then in 1999 I started work at the Koori Centre at Sydney University and I soon discovered that I had better unpack those old tattered Levi's because it was part of my employment contract that I continue to further my qualifications.

It was then that I received a piece of advice from Professor John Lester at Newcastle University that proved extremely beneficial. He said: "If you are going to do a Masters, for God's sake do it by research because all universities care about is what you publish, so you might as well have something with a cover on it after three years of effort".
(Personal Communication with Professor Lester, 1999)

I know now that the above advice would seem very basic to many in this room, but to me it was a revelation at that time.

Why didn't I already know this basic tenet of survival and success in academia?

Here are a few statistics which might offer some explanation.
Approximately 19 million people live in Australia, and 360,000 of those are Indigenous. Currently 40% of the Indigenous population is aged under 15 and 3% are over 65.

Now, of those remaining 200,000 how many do you think had post-graduate qualifications and were in a position to offer me advice about a Research Degree vs a Masters by course work? Less than were present at a preliminary game of the womens' Handball at the Sydney Olympics. That's how many.

After taking a full year to finally fill in the relevant forms and get enrolled, I had to decide what I wanted to research. In truth I would have preferred to have been having root canal therapy because I was only doing it because I had to.

I am a fairly practical person with a 'get in there and do it' approach and, having taught for more than 20 years, I was not sure what research had to offer me. But last March I had a "Saul on the road to Damascus" experience (can't spell epithany). It suddenly dawned on me why there was all this fuss and buzz about Indigenist Research.

Put simply, why do Research?

"BECAUSE WE CAN", and "IF WE DON'T DO IT, WHO WILL?".

Once I came to this simple understanding, then plodding through the 500 pages of readings each semester became less of a chore.

And just like someone who gives up cigarettes or alcohol or discovers God, I have become a convert, not a zealot, but someone who is in a position as an Indigenous lecturer to pass on my knowledge and enthusiasm to my students. Hopefully this will give them some insights, and encourage them to go back into their communities and find out more, not just about the problems, but search for solutions.

6. INTELLECTUAL PROPERTY RIGHTS: WHO OWNS THE KNOWLEDGE?

This part of the panel presentation was prepared and delivered by Kath French

In the "Our Culture Our Future" Report on Australian Indigenous Cultural and Intellectual Property Rights (1988), Terri Jenke asserts that:

"Indigenous 'Cultural and Intellectual Property Rights' refers to Indigenous Australians' rights to their heritage. Such rights are also known as Indigenous Heritage Rights" (p)

Heritage consists of the intangible and tangible aspects of the whole body of cultural practices, resources and knowledge systems developed, nurtured and refined by Indigenous people and passed on through an expression of their cultural identity.

Heritage is a broad, complex and intertwining concept that includes:

- Literary, performing and artistic works.
  (including music, dance, song, ceremonies, symbols and designs)
- Languages.
- Scientific, agricultural, technical and ecological knowledge.
  (including cultigens, medicines and sustainable use of flora and fauna)
- All items of movable cultural property including burial artefacts .
- Indigenous ancestral remains.
- Indigenous human genetic material. (including DNA and tissues)
- Cultural environmental resources. (including minerals and species)
- Immovable cultural property. (including Indigenous sites of significance, sacred sites and burials)
- Documentation of Indigenous peoples' heritage in all forms of media. (including scientific, ethnographic research reports, papers and books, films, and sound recordings).

The heritage of Indigenous people is a living, dynamic and continuous one, and includes items which may be created in the future, based on that heritage. In a field like higher education it is of fundamental importance that we define what we mean by Indigenous Intellectual property and heritage rights and responsibilities.

Any definition of Indigenous Cultural and Intellectual Property should be flexible enough to reflect the notions of the particular Indigenous community and/or group being researched. Taken-for-granted understandings about intellectual property and heritage may differ from community to community, from group to group, and will almost certainly change over time. Thus, acknowledging and accepting the diversity that exists in Indigenous communities in Australia is an essential element in participating effectively in educational research.

When discussing, teaching or researching, any issues that relate specifically to Indigenous people, we should always revert to (and critically examine) the historical and cultural dimensions of policies, legislation, laws, and government practices that have impacted at community and organisation levels, resulting in the adverse positioning of Indigenous peoples today.

In this context researchers need to thoroughly examine and be knowledgeable about when, (historically), and where, why and what intellectual and other heritage property rights were removed, and how this came about. The concept of property rights applying to knowledge and ideas seems to have been developed in England and Europe in the late 15th century, and transported along with the convicts to the colonised world. The invention of the printing press also enabled works to be copied in an unprecedented manner and circulated throughout the whole world.

Many of today's intellectual property laws and concerns appear to originate from this era of colonisation and the invasion of Indigenous lands and culture by European technology and ideas. Intellectual property rights in this era can be seen to be based on the notion that innovation is the product of the creative intellectual, and applied concepts and ideas of the individual. This is so within the western paradigm, but not necessarily so in Indigenous inquiry and ownership or knowledge. Researchers must take into account that ownership for Indigenous people is a collective, socially based and continuously evolving. Each particular community has ownership rights over its particular inherited cultural knowledge and other material. Although it is collectively owned, an individual or particular group within the community may be assigned as caretakers or custodians of particular knowledge. For example; the Clifford Possum (Western Desert Artist) case where, under customary heritage ownership and responsibility laws, he gave permission for sanctioned family members to contribute to painting of his works, which he then signed and offered for sale. This was

legitimate cultural practice for Clifford Possum and his people but was regarded in the Australian Art market as unlawful.

As discussed in Debbie and Anthony's presentation, since the impact of Europeans, acquisition of Indigenous Australian cultural heritage material has been seen as a 'free for all', as part of the 'deserving' bounty of the colonisers. Until recently, it was considered unlikely that intellectual property rights were applicable to the special features of Indigenous cultural heritage material. However, Indigenous songs, dances, stories, lifestyles, knowledge, biogenetic resources and resource-management practices are increasing in value to modern society as commercial property. In an age of new technology and increasing global markets, Indigenous people worldwide are seeking to protect their cultural and commercial interests. So too, are Indigenous Australians.

As has also been discussed and referred to in previous presentations, appropriate consultative processes and agreed partnership arrangements are also fundamentally important. They are often not observed, and/or the protocols for such practice are not sought. We also need to discuss the obligations of Indigenous Academics and Researchers, not only to the University and the Indigenous Education Centre where they might be employed but, also, and most importantly, the obligations they have to the community in which the research is being conducted.

I would like to reinforce that collaborative research with all parties involved should be conducted with integrity, co-operation and partnership. This will then enhance the research and also ensure that research will be of benefit to the Indigenous community, to the researcher and the population as a whole. Most importantly, such consultative and inclusive procedures as those proposed earlier by other panellists, contribute substantially to development of effective frameworks and more ethical processes for the conduct of community based research.

8. A SELECTION OF IDEAS, PRINCIPLES AND 'THEMES' THAT HAVE DISTILLED OUT OF THE DISCUSSIONS SO FAR, AND A BRIEF 'RESPONSE' TO THE PANEL PRESENTATION.

This part of the panel presentation was prepared and delivered by Arthur Smith

1. **There is a clearly emerging paradigm for Indigenous research that all researchers in Australia need to be critically aware of and, wherever relevant, adopt and practice.**

Several of the presenters raised this issue of the emergence of an Indigenous research methodology and, directly and indirectly, proposed more culturally relevant approaches to planning and delivery of research at all stages of the process. There needs to be on-going critical refinement and evaluation of this model in practice. In the context of an increasingly globalised environment, it seems imperative that researchers in education take careful stock of this new paradigm, particularly in situations where partnership arrangements are being negotiated between Indigenous and non-Indigenous researchers and/or interests.

2. **There is much research that needs to be undertaken in Aboriginal and Torres Strait Islander education, and in Indigenous Australian business in general.**

All of the presenters emphasised the urgent need for much more rigorous research, especially in areas where there was potential benefit to Indigenous communities. The field of Education was still seen as an area rich in potential for continuing research. Planning, delivery and evaluation of more relevant curriculum and pedagogy, including better informed diagnostic assessment of Indigenous student learning, were still seen as key issues and challenges. The idea of research in general was strongly and positively endorsed, providing that non-Indigenous researchers were prepared to talk with, listen to, and hear what Indigenous colleagues and other participants were saying. It was clearly a question of not only doing the research, but doing it properly so that outcomes are seen as positive and productive for Indigenous Australians, and for the community in general.

3. **Aboriginal and Torres Strait Islander people themselves have become more supportive of research and development, providing that it is undertaken with**

due regard to protocols and practices encapsulated within the Indigenous research paradigm referred to above.

This development was seen as a distinctly positive change from past colonial and post-colonial periods of Australian history where research, and the results of research, were invariably seen as seriously detrimental to Aboriginal and Torres Strait Islander people. In retrospect it is now seen as undeniably the case that much research, even that which was intended to be well-meaning and humanistic, was invasive and destructive of Indigenous identity and culture. Against this background, several sources of information were provided in respect of research ethics and procedural guidelines endorsed by Indigenous people as appropriate.

4. **Matters of ethics and protocols for Indigenous research are of central significance, whether for Indigenous or non-Indigenous researchers.**

For researchers across the board, information was provided about ethical matters, and protocols/procedures for collaboration and meaningful consultation with Indigenous Australians. (Please refer to the bibliography for examples)

5. **Many opportunities for collaborative research and partnership arrangements are emerging.**

Within the context of the panel presentation, opportunity for collaborative research, even formal research partnerships, between Indigenous and non-Indigenous people and organisations, emerged as a potentially very productive model for contemporary inquiry. Value provided through dialogue between often differing worldviews was recognised. More inclusive and holistic conceptual and operational framework positions for Indigenous research were proposed as advantageous in education and other fields in many instances.

6. **Prime emphasis in all phases of the planning and the conduct of research must be placed on relevance and usefulness of outcomes for Indigenous Australians.**

Against the background of research results not shared, cultural knowledge and artefacts misappropriated, and research being carried out which was not seen as beneficial or ethically defensible by Indigenous people, there was an unambiguous viewpoint presented that research in Indigenous contexts now needs to be established as useful and ethical. Useful was perceived as that which provided benefit for Indigenous communities, especially in

respect of education where there were still many unanswered questions, problems to be solved, and both opportunities and challenges to be addressed.

7. **There must be a real and perceived benefit for communities and organizations and for Aboriginal and Torres Strait Islander individuals and groups.**

The point was made that there are researchable questions that are already out there that could become the focus for a more concerted collaborative effort in the field of education between Indigenous and non-Indigenous researchers. Some form of melding of priorities for research in Education, primarily on Indigenous terms, could be seen as beneficial.

8. **There has been much progress made on the research ethics front during the past 15-20 years or so and, although we still have some considerable way to go, the outlook for the future looks much brighter.**

There was a pervasive view presented, I think by all Indigenous speakers, that we are now moving in a positive and potentially very productive direction with research. This is not to say, however, that we still do not have some considerable way to go before all stakeholders can be satisfied and confident that methodologies and procedures used, including processes for dissemination of results, are inclusive and equitable in terms of human rights and social justice values.

9. **There are now many more Indigenous Australians themselves engaged directly in research planning, management and ownership processing of data.**

This, fortunately, is the case, but in universities there are still not enough Indigenous students undertaking research training and research-based degrees at the postgraduate level. Across Australia there is a chronic shortage of qualified and experienced Indigenous researchers. The situation is changing, but not fast enough to meet emerging demands and both Indigenous and non-Indigenous needs and interests.

10. **Incorporation of a genuine Indigenous perspective in research and development has clear potential to improve the value and relevance and, hence, quality and usefulness of research**

There is no question that increased participation in research by well-qualified and experienced Indigenous researchers, and the further development of guidelines, models and

protocols that are appropriate from an Indigenous point of view, holds potential to be beneficial for all stakeholders concerned, especially Indigenous Australians themselves.

11. **A rigorous, critical and more open, inclusive approach to research in the future could help all Australians to come to terms with their past and present and, more optimistically contemplate their future.**

This notion could be seen as an underlying theme or thread through all of the presentations. Looking towards a more optimistic future in research, a major theme of the Conference, was generally embraced as an idea by all presenters from the Koori Centre. It is important to note that ethical, rigorous, culturally appropriate and veridical research in Australia can be seen as a possible key to a more just and equitable future.

12. **The quality and relevance of the conduct of Indigenous research and development in Australia ought to be a goal of national significance.**

This last message taken from various papers and presentations included in this brief summary ought to be taken in the field of public education and training as self-evident. We all need to seize the opportunity to do all that we can to 'get it right' in Indigenous Education and Studies research.

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